

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

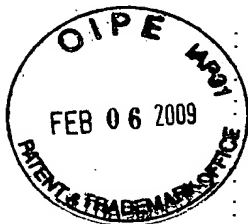
In re Application of:

Robert James TRIBE

Serial No. 09/920,728

Filed: August 3, 2001

For: SYRINGE PUMPS



Art Unit: 3763

Examiner: DeSanto, Matthew F

Atty Docket: 0100/0131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**DECLARATION OF PRIOR INVENTION IN THE UNITED STATES
OR IN A NAFTA OR WTO MEMBER COUNTRY
TO OVERCOME CITED PATENT OR PUBLICATION (37 C.F.R. § 1.131)**

PURPOSE OF DECLARATION

1. This declaration is to establish completion of the invention of this application in

the United States

the NAFTA country (name of country)

X the WIPO country (Great Britain)

at a date prior to June 29, 2000 that is the effective date of the prior art

publication

X patent Ford (US 6,551,277), and

patent publication

other

that were cited by the

X examiner.

applicant.

2. The person making this declaration is (are):

☒ the inventor(s).

only some of the joint inventor(s) (and a suitable excuse is attached for failure of the omitted joint inventor(s) to sign)

the party in interest (and a suitable explanation as why it is not possible to produce the declaration of the inventor(s) is attached)

FACTS AND DOCUMENTARY EVIDENCE

3. To establish the date of completion of the invention of this application, the following attached documents and/or models are submitted as evidence:

(check all applicable items below)

sketches

blueprints

photographs

reproduction(s) of notebook entries

model

supporting statement(s) by witness(es) (where verbal disclosures are the evidence relied upon)

Interference testimony

☒ disclosure documents (Internal company design specification)

4. From these documents and/or models, it can be seen that the invention in this application was made

on

☒ at least by the date of June 28, 2000 which is a date earlier than the effective date of the reference.

DILIGENCE

5. Below is a statement establishing the diligence of the applicants, from the time of their conception, to a time just prior to the date of the reference, up to the:

- X actual reduction to practice; and/or
- X filing of UK 0020060.0 from which Application No. 09/920,728 claims priority.

The invention disclosed in the specification of U.S. Application 09/920,728 was conceived at a date at least prior to June 29, 2000, as evidenced by the hereto attached Internal Company Design Specification (ICDS) relating to the software for the syringe pump disclosed in the '728 specification. From the date at least of the ICDS to the actual reduction to practice of the claimed invention and/or the filing date August 16, 2000 of the application (UK 0020060.0) from which the '728 application claims priority, the inventors were actively and diligently working to put into practice the claimed invention.

TIME OF PRESENTATION OF THE DECLARATION

This declaration is submitted prior to final rejection.

- X This declaration is submitted with the first response after final rejection, and is for the purpose of overcoming a new ground of rejection or requirement made in the final rejection.

This declaration is submitted after final rejection. A showing under 37 C.F.R. § 1.116(b) is submitted herewith.

DECLARATION

6. As a person signing below:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Inventor(s)

Full name of sole or first inventor Robert James Tribe

Inventor's signature

R.J. Tribe

Date 24/1/09 Country of Citizenship UK

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Full name of second joint inventor Chris Pickles

Inventor's signature

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